

REMARKS

In the subject office action, the Examiner rejected claims 80-100 under 35 USC 103, as being obvious in view of Wycherley et al (US 2002/0030103) and Sylvan combined. Applicant respectfully disagrees.

In rejecting claims 80-100, the Examiner acknowledged that “Wycherley does not expressly disclose that the cover partially covers a front surface of the body of the electronic apparatus not occupied by a display and a plurality of keys”. The Examiner then asserted that “Sylvan shows device that with an interchangeable cover, which also changes the function of the phone, and also does not cover the display o keypad”.

First of all, Applicant respectfully submits that the Examiner is incorrect in asserting that the Sylvan cover “changes the function of the phone”. Card 38 is merely a “substantially rigid plastic card” (col. 4, line 51). Overlay 38 is employed to guide a user’s finger to the appropriate soft key regions (col. 5, lines 39-42). There is no disclosure in Sylvan that suggests either the soft keys or the responses of the device to various selections of the soft keys will change as a result of the placement of card 38 onto the base device. In other words, whether guided by card 38 or not, the soft keys offered by the device are the same, and the responses to their selections remain the same. Accordingly, card 38 does not change the function of the base device.

More importantly, as illustrated e.g. in Fig. 5, card 38 merely covers the display. Therefore, Sylvan clearly does not remedy the acknowledged deficiency of Wycherley, which is the Wycherley cover does not teach or suggest partially covering a front surface of the body of an electronic apparatus not occupied by a display and a plurality of keys.

Accordingly, claims 80, 86 and 94 remain patentable over Wycherley even when combined with Sylvan.


Claims 81-85, 87-93 and 95-100 are dependent on claims 80, 86 and 94 respectively, incorporating their limitations. Therefore, by virtue of at least the dependency, claims 81-85, 87-93 and 95-100 are also patentable over the cited references.

In view of the foregoing, allowance of claims 80-100, and early issuance of Notice of Allowance are respectfully requested.

Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,
Applicants

Dated: October 10, 2003

By: 
Aloysius AuYeung, Reg# 35,432
Schwabe, Williamson & Wyatt, P.C.
Attorney for Applicants

PacWest Center
1211 SW Fifth Ave., Ste 1600-1900
Portland, Oregon 97204
Phone: (503) 222-9981
FAX: (503) 796-2900